

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00229  
2:95-00089

ERIC BENJAMIN BOLTON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On January 8, 2015, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Eric Benjamin Bolton, appeared in person and by his counsel, David O. Schles, for a hearing on the petition on supervised release and amendments thereto submitted by United States Probation Officer Joseph Black. The defendant commenced a six-year term of supervised release on November 29, 2011, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 30, 2009, in Criminal No. 2:08-00229, and a concurrent three-year term of supervised release as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on March 30, 2009, in Criminal No. 2:95-00089.

The court heard the evidence, admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) as more fully set forth on the record of the hearing, the court found by a preponderance of the evidence that the defendant committed the federal and state offenses of distribution of controlled substances repeatedly inasmuch as on August 14, 2013, he sold 26.57 grams of cocaine base to a confidential informant; on May 2, 2014, he sold 214.64 grams of marijuana to a confidential informant; and on May 12, 2014, he sold 4.81 grams of heroin to a confidential informant; (2) the defendant failed to submit monthly reports for April, May, June and July 2014, as evidenced by his admission on the record of the hearing; and (3) the defendant left the judicial district without permission inasmuch as on July 10, 2014 Virginia State Troopers initiated a traffic stop in Bland, Virginia, and the defendant was a passenger in the vehicle, as admitted by the defendant on the record of the hearing; all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in these two actions be, and it hereby is, revoked.

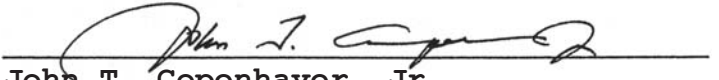
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of THIRTY-SIX (36) MONTHS in Criminal No. 2:08-00229 and TWENTY-FOUR (24) MONTHS in Criminal No. 2:95-00089, to run concurrently, to be followed by a term of forty-eight (48) months of supervised release in Criminal No. 2:08-00229 upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further

condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: January 16, 2015

  
John T. Copenhaver, Jr.  
United States District Judge